

The Harvard South Shore Psychiatry Residency Training Program

Harvard Medical School

Grace J. Mushrush, M.D.
Director



Department of Psychiatry

Fe Erlita Festin, M.D.
Assistant Director

04/22/05
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February 25, 2004

RE: Rajendra Badgaiyan, MD

To Whom It May Concern:

EXHIBIT

BADGAIYAN

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This is to document that residents in the Harvard South Shore Psychiatry Residency Program sponsored by the Department of Veterans Affairs have Malpractice Coverage under the

FEDERAL TORT CLAIMS ACT, 28 U.S.C. 2679 (b)-(d).

There is no policy number or policy certificate for each resident. Please see Veterans Health Administration (VHA) Directive 1402.1 or consult the V.A. Regional Counsel whose offices are at the VAMC, Bedford, MA, at (781) 687-3600.

In previous years, residents have been covered by Pro-Mutual (a blanket policy for rotators) when residents have been on rotation at the state facilities, Cambridge Hospital and the Beth Israel Deaconess Medical Center. Our agent is Crosby-MacDonald (617) 542-9538. When residents rotate to McLean Hospital, they were covered under McLean's blanket policy through CRICO.

Yours truly,

Grace Mushrush, MD

Grace J. Mushrush, M.D.
Director of Residency Training



DEPARTMENT OF VETERANS AFFAIRS
Office of Regional Counsel (02)
200 Springs Road
Bedford, Massachusetts 01730
TEL: 781-687-3600
FAX: 781-687-3626

04/22/05 31

February 9, 2004

Board of Registration in Medicine
Commonwealth of Massachusetts
560 Harrison Avenue, Suite G-4
Boston MA 02118

RECEIVED
2004 MAR 10 PM 1:05
JURISDICTION
IN MEDICINE

Re: Rajendra Badgaiyan, M.D.

To Whom It May Concern:

We have been asked by Dr. Badgaiyan to write and inform the Board regarding medical malpractice history.

This is apparently needed to supplement the letter of February 25, 2004, from the Director of Residency Training at the VA Boston Healthcare System, regarding his federal employment. As a resident in a VA program, a physician is protected from individual liability by law. 28 USC 2679. The Government is liable for the negligent acts or omissions of its employees acting within the scope of employment. Therefore, we do not carry as an organization, nor recommend that employees carry individually, any malpractice insurance.

Claims proceed against the Government under the Federal Tort Claims Act, and not the individual. Under VA rules, an internal panel determines if a malpractice settlement or judgment is paid for the benefit of an individual professional, for purposes of reporting outside the VA.

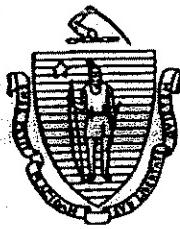
My office handles claims against the VA in this area. With regard to Dr. Badgaiyan, I have no record of his involvement in any claim against the VA.

Sincerely,

Edward J. Lukey
Regional Counsel
Region 1

cc: Rajendra Badgaiyan, M.D.

Director, VA Boston Healthcare System



Commonwealth of Massachusetts
Board of Registration in Medicine

560 Harrison Avenue, G-4
Boston, Massachusetts 02118
(617) 654-9800

Enforcement Division Fax: (617) 451-9568
Legal Division Fax: (617) 357-8453
Licensing Division Fax: (617) 426-9358

04/22/05 31

MEMORANDUM

TO: Rajendra Badgaiyan
FROM: Dawn Thomas, Licensing Analyst
DATE: 03/02/04
SUBJECT: Full License Application for R. Badgaiyan

Please complete the following documents or provide the missing information:

- Signature Date Professional Title Affiliation
 Additional information required for 'yes' answers on supplement form.
 Practice plans for Massachusetts
 Answer all questions on the document/application (type or print).
 Original document needed.
 Other

Please provide a written explanation
regarding additional attempts to
'PASS' the exams.

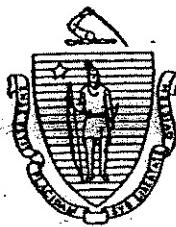
Thank you.

Please return the completed form or missing information in the enclosed envelope.
Thank you.

Licensing Staff

E-needed

Visit Our Website At: <http://www.massmedboard.org>



Commonwealth of Massachusetts
Board of Registration in Medicine

560 Harrison Avenue, G-4
Boston, Massachusetts 02118
(617) 654-9800

MITT ROMNEY
GOVERNOR

KERRY HEALEY
LIEUTENANT GOVERNOR

Enforcement Division Fax: (617) 451-9568
Legal Division Fax: (617) 357-8453
Licensing Division Fax: (617) 426-9358

MARTIN CRANE, MD
BOARD CHAIR

NANCY ACHIN AUDESESE
EXECUTIVE DIRECTOR

March 3, 2004

Rajendra D Badgaiyan, M.D.
122-A Sycamore Street
Somerville, Massachusetts 02145

Re: Application Number 220501

Date Application Received: 03/02/2004

Dear Dr. Badgaiyan :

Your application for a full medical license in Massachusetts was received on the above date.

The Licensing Unit will assist you in expediting the processing of your application, however, please be advised that it can take up to twelve (12) weeks to process an application. Throughout this process, we will provide you with periodic updates regarding the status of your license application.

You will receive a notification of missing documents for your full license application in four weeks. Please be advised that if your full license application is incomplete after 6 months, you will be required to update the application and specific documents that are 6 months old. For additional licensing information, you may access the Board's website at www.massmedboard.org.

Sincerely,

Licensing Staff

Philyaw, Jackie (DPH)

From: Philyaw, Jackie (DPH)
Sent: Wednesday, March 03, 2004 12:38 PM
To: 'Rajendra Badgaiyan'
Subject: RE: Full License application

Your application was received on March 2, 2004. The process time is 8-12 weeks, please allow 7 business days, before you receive a letter of receipt.

Sincerely
Jackie
Licensing Analyst

-----Original Message-----
From: Rajendra Badgaiyan [mailto:rajendra@wjh.harvard.edu]
Sent: Friday, February 27, 2004 3:24 PM
To: Philyaw, Jackie (DPH)
Subject: Full License application

Hi,

I mailed my full license application about 2 weeks ago, but have not received an acknowledgement. Hope, the board has received the application and it is being processed.

Thank you.

Rajendra Badgaiyan

Rajendra Badgaiyan, M.D.
Assistant Professor
Harvard Medical School
Massachusetts General Hospital
55, Fruit Street
Boston, MA 02114

Web: <http://www.wjh.harvard.edu/~rajendra/>

Philyaw, Jackie (DPH)

From: Philyaw, Jackie (DPH)
Sent: Friday, March 05, 2004 10:12 AM
To: 'Rajendra Badgaiyan'
Subject: RE: Full License application

The Processing time for applications are about 8-12 weeks. This is a very busy time for the board right now. Applications are coming in at a very high volume. Even though your application was hand delivered it still has to go through the process of the mail room along with the other applications that are coming in. Also please keep in mind that there are other applications that have come in ahead of your application.

Sincerely
Jackie
Licensing Analyst

-----Original Message-----
From: Rajendra Badgaiyan [mailto:rajendra@wjh.harvard.edu]
Sent: Thursday, March 04, 2004 4:29 PM
To: Philyaw, Jackie (DPH)
Subject: RE: Full License application

Hi Jackie,

Thanks for the help. As discussed, I am holding the response to your questions until you get the letter from the medical school which you should receive in 2-3 days. I will appreciate if you let me know when you get the transcript from the medical school.

BTW, I am surprised why the application was received on March 2, even though I hand delivered it on Feb 17.

Raj

>Your application was received on March 2, 2004. The process time is 8-12 weeks, please allow 7 business days. before you receive a letter of receipt.

>

>Sincerely

>Jackie

>Licensing Analyst

>

>--

>Rajendra Badgaiyan, M.D.

>Assistant Professor

>Harvard Medical School

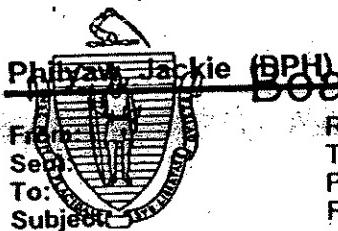
>Massachusetts General Hospital

>55, Fruit Street

>Boston, MA 02114

>

>Web: <http://www.wjh.harvard.edu/~rajendra/>



Rajendra Badgaiyan [mailto:rajendra@wjh.harvard.edu]
Tuesday, March 09, 2004 3:56 PM
Philyaw, Jackie (DPH) (617) 654-9800
RE: Full License application

Enforcement Division Fax: (617) 451-9568

Legal Division Fax: (617) 357-8453

Licensing Division Fax: (617) 426-9358

>Hi Jackie,

Thanks for the clarification and help. I thought receipt date is the date of receipt!!!. I will try to hand deliver the papers later this week.

Raj

>The Processing time for applications are about 8-12 weeks. This is a very
>busy time for the board right now. Applications are coming in at a very
>high volume. Even though your application was hand delivered it still has
>to go through the process of the mail room along with the other applications
>that are coming in. Also please keep in mind that their are other
>applications that have come in ahead of your application.

>

>

>Sincerely

>Jackie

>Licensing Analyst

>

>-----Original Message-----

>From: Rajendra Badgaiyan [mailto:rajendra@wjh.harvard.edu]
>Sent: Thursday, March 04, 2004 4:29 PM
>To: Philyaw, Jackie (DPH)
>Subject: RE: Full License application

>

>

>Hi Jackie,

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>Raj

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>>receipt.

>>

>>Sincerely

>>Jackie

>>Licensing Analyst

>>

>>--

>>Rajendra Badgaiyan, M.D.

>>Assistant Professor

>>Harvard Medical School

>>Massachusetts General Hospital

>>55, Fruit Street

>>Boston, MA 02114

>>

>>Web: <http://www.wjh.harvard.edu/~rajendra/>



Commonwealth of Massachusetts
Board of Registration in Medicine

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Boston, Massachusetts 02118
(617) 654-9800

Enforcement Division Fax: (617) 451-9568
Legal Division Fax: (617) 357-8453
Licensing Division Fax: (617) 426-9358

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MEMORANDUM

TO:

Rayenidin D. Badyagyan

FROM: Licensing Division

DATE: 3/24/04

RE: Evaluative File(s)

It is the practice of the Licensing Division to request the evaluative files for an applicant who has below average evaluations or has been placed on academic probation during a residency training. Please arrange to have your evaluative files, including any and all documentation, residency review committee minutes, memos and correspondence from the following training program(s) forwarded to the Board of Medicine.

Training Program

Va Med Ctr, South Shore
Residency

Dates

From 1/1 To 1/1

From 10/19/99 To 12/31/03

From 1/1 To 1/1

If you were disciplined and/or placed on probation, all pertinent documentation must be included in the material sent to the Board. Please be advised that your limited license application will be considered incomplete until all of the above requested documentation has been received.

The evaluative file(s) and all documents must be forwarded directly to the Board from the primary source.

Thank you.

Philyaw, Jackie (DPH)

From: Philyaw, Jackie (DPH)
Sent: Wednesday, March 24, 2004 12:34 PM
To: 'Rajendra Badgaiyan'
Subject: RE: Full License application #220501

I am forwarding a missing items notice to you. The documents that are still required of you are Medical education verification form along with transcripts, Evaluative files from V A Med Ctr while doing residency 10/99-12/03, Malpractice history form Listing carriers 1/97-4/99(while at Western Psychotic and Harvard Univ. Dept of psychology. And Malpractice reports. The promutual's report does not match dates of coverage that you list on the malpractice history form. Please have corrected. Also report from Dept of Veteran Affairs give dates of coverage.

Sincerely
Jackie
Licensing Analyst

-----Original Message-----
From: Rajendra Badgaiyan [mailto:rajendra@wjh.harvard.edu]
Sent: Monday, March 22, 2004 11:01 AM
To: Philyaw, Jackie (DPH)
Subject: Full License application #220501

Hi Ms Philyaw,

I hope you by now you have received all the required documents in connection with my application for new full licence (#220501).

Please let me know if there is a problem. I will very much appreciate your help.

Raj

Rajendra Badgaiyan, M.D.
Assistant Professor, Harvard Medical School
Departments of Radiology and Psychiatry
Massachusetts General Hospital
55, Fruit Street
Boston, MA 02114

Web: <http://www.wjh.harvard.edu/~rajendra/>



ProMutualGroup[®]

101 Arch Street, P.O. Box 55178
Boston, MA 02205-5178
www.promutualgroup.com

Phone: 617.330.1755
Toll Free: 800.225.6168
Fax: 617.330.1748

O4/22/08 ST

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March 9, 2004

SEARCHED
IN MEDICINE

2004 MAR 10 PM 1:25

RECEIVED

Commonwealth of Massachusetts
Board of Registration in Medicine
Attn: Licensing Committee
560 Harrison Avenue, G-4
Boston, MA 02118

Re : Claim History Request for Rajendra Badgaiyan, M.D.

Dear Licensing Committee:

In response to your inquiry and in compliance with the Commonwealth of Massachusetts Board of Registration in Medicine Credentialing regulations, we found no medical malpractice claims against the above-named insured for the past 3 years.

This report reflects information found in our current database which was upgraded in 1990. As such, this report may not contain policy information prior to 1990, if no claims were reported against the healthcare provider prior to 1990. For doctors who become insured with ProMutual Group after 1990, the information covers their total years with the company.

In addition, for nonphysician healthcare providers, this report may not contain policy information if the insured has no claims. For these insureds where no policy information is found, please refer to their employer for employment dates to determine coverage, as the employee may be covered under the employer's policy while working under the direction of the employer.

If you have any questions regarding this report, feel free to call me at (617) 526-0334.

Sincerely,

Jane Cassaro
Sr. Data Report Specialist
Claim Services
enclosure(s)

**Attention: Jackie Philyaw,
Board of Registration in Medicine
560 Harrison Avenue
Boston, MA 02118**

April 5, 2004

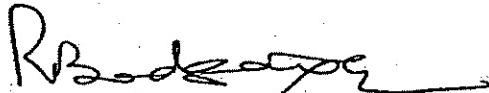
RE: Application # 220501 for full license

Following is in response to your letter of 3/24/04 in connection with my license application:

1. I worked at the Western Psychiatric Institute and Harvard University as a non-clinical research fellow and had no access to patients. I therefore did not have any malpractice insurance coverage during the period I worked at these institutions.
2. I have enclosed a revised malpractice form indicating corrected dates of coverage of the PromutualGroup.

Thank you.

Sincerely,



Rajendra D Badgaiyan, MD
122-A, Sycamore Street
Somerville, MA 02145
617-623-1140



ProMutualGroup

Claim Loss History Coverage Report

101 Arch Street, P.O. Box 55178
 Boston, MA 02205-5178
www.promutualgroup.com

Phone: 617.330.1755
 Toll Free: 800.225.6168
 Fax: 617.330.1748

This Claim Loss History report reflects professional liability insurance coverage provided for these time periods as of March 9, 2004.

Defendant Information :

Name : Rajendra Badgaiyan, M.D.
 Account ID : A60618

Coverage Periods :

Policy Number : 1-26721 Effective Date : 07/01/2001 Expiration Date : 07/01/2002
 Policy Holder : Brockton VA Residents/
 Cov. Type : Occurrence
 Limit : 1M / 3M
 Specialty : Psychiatry-Including Child-No Surg.

Reason : END OF COVERAGE

Page 1 of 1

Information contained in this report is confidential and may not be released to any third party except as permitted by law.

McLean Hospital

115 Mill Street, Belmont, Massachusetts 02478-9106
Telephone 617 855-2000, FAX 617 855-3299



April 15, 2004

Commonwealth of Massachusetts
Board of Registration in Medicine
560 Harrison Avenue, G-4
Boston, MA 02118

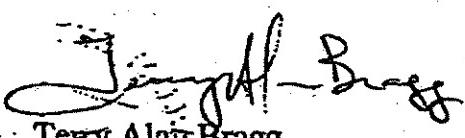
ATTN: Mr. Richard Farmer, Licensing Unit

Re: Rajendra Dhar Badgaiyan, M.D.

Dear Licensing Specialist:

I am writing to confirm that Dr. Badgaiyan, social security number 544-45-6718, was covered by CRICO through McLean Hospital for two months from March 1, 2001, through April 30, 2001. During this time period, Dr. Badgaiyan was a resident in psychiatry in the Harvard South Shore Program at the Brockton VA Medical Center doing a two month rotation at McLean Hospital. The policy number was CRC10026MGH. There is no record of a claim made against Dr. Badgaiyan for this time period.

Sincerely,


Terry Alair Bragg
Director, Professional Staff Affairs
Office of the Registrar
617-855-2183



**Commonwealth of Massachusetts
Board of Registration in Medicine**

**560 Harrison Avenue, G-4
Boston, Massachusetts 02118
(617) 654-9800**

Enforcement Division Fax: (617) 451-0568
Legal Division Fax: (617) 357-8453
Licensing Division Fax: (617) 426-9358

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MEMORANDUM

TO: Rajendra D. Bädgaiyan, M.D.
FROM: Rose M. Foss, Director of Licensing
DATE: April 21, 2004
RE: Full License Application

The Board of Registration in Medicine was informed on the postgraduate verification from the VA Medical Center (Harvard, South Shore) Psychiatry program that you were placed on probation.

On the full application supplement, you answered "no" to question # 1, "[s]ince your enrollment in college, have you been subject to any disciplinary action (see definition) at any academic institution?" Please complete an amended supplement and an explanation for failing to inform the Board that you were on probation in your training program. Additionally, you informed me that you had counseling. Please have the counselor/psychiatrist provide a letter with the dates of treatment, medications, diagnosis and prognosis. The completed supplement, explanation and letter from the counselor/psychiatrist should be sent directly to me.

Also, the completed evaluation from the VA Medical Center Psychiatry Residency Program Director, as we previously discussed, should be sent directly to me.

You may download the supplement form and the evaluation form at the Board's website at www.massmedboard.org. If you have any questions, I can be reached at the above listed telephone number.

Thank you.

Rajendra D. Badgaiyan, MD
Assistant Professor, Harvard Medical School
Massachusetts General Hospital, Boston, MA 02114
E-mail: rajendra@wjh.harvard.edu

04/28/04
SST

April 28, 2004

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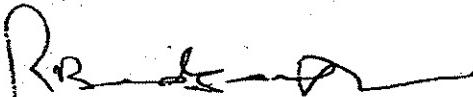
Rose M Foss,
Director of Licensing
Commonwealth of Massachusetts Board of registration in Medicine
Boston, MA 02118

Dear Ms Foss,

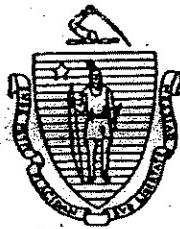
Following our discussion, earlier this week I checked with my medical school in India and was given following information about the medical school verification form that they have mailed to the Board:

1. Mailed using express mail service of Indian Postal Service on 3/9/2004.
2. Faxed on 4/16/04.
3. Mailed (Attention: Richard Farmer) a copy using a private courier service SkyKing on 4/22/04 (expected delivery on 4/27/04).
4. Mailed (Attention: Richard Farmer) another original using trackable Global Priority Mail Service, Speed Post on 4/27/04 (expected delivery on 5/1/04). Tracking number EE817134825IN.

Sincerely,



Rajendra Badgaiyan
122A Sycamore Street, Somerville, MA 02145



Commonwealth of Massachusetts
Board of Registration in Medicine

560 Harrison Avenue, G-4
Boston, Massachusetts 02118
(617) 654-9800

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151
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June 18, 2004

Rajendra D. Badgaiyan, M.D.
122-A Sycamore Street
Somerville, MA 02145

Re: Full License Application

Dear Dr. Badgaiyan:

At its June 16, 2004 meeting, the Licensing Committee, a subcommittee of the Board of Registration in Medicine, reviewed your full license application. The Licensing Committee also met with you to discuss the information contained in this application.

The Licensing Committee has deferred further consideration of your application until you have undergone a Board approved psychiatric evaluation and met with Dr. Luis Sanchez, Director of Physician Health Services to determine your suitability for a Behavioral Health Monitoring Contract.

Enclosed please find a list of Board-approved evaluators for this psychiatric evaluation. It will be necessary for you to execute a waiver and release authorizing me to speak and otherwise exchange information with any proposed evaluator before any examination is performed. Additionally, you will also be required to complete releases permitting me to exchange information with Dr. Sanchez. The names of Board-approved practitioners are as follows:

Marilyn Price, M.D. (781-321-6544), 578 Main Street, Malden, MA 02418;

Rohn Friedman, M.D. (617-332-7685), 320 Otis Street, West Newton, MA 02165; and

Donald Meyer, M.D. (617) 491-6868, 124 Mount Auburn Street, Suite 440 South, Cambridge, MA 02138.

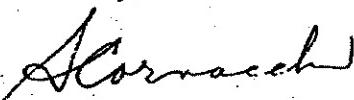
Page Two
June 18, 2004

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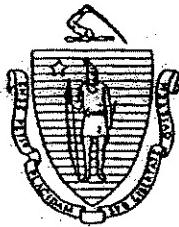
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Please inform me of the dates of any appointments as soon as possible so that I may send you the necessary releases. As a reminder, you will be responsible for all costs associated with any evaluation. You may contact me at 617-654-9853 if you have any questions.

Sincerely,



Susan Cornacchio, RN, JD
Board Counsel
Physician Health & Compliance Unit



Commonwealth of Massachusetts
Board of Registration in Medicine

560 Harrison Avenue, G-4
Boston, Massachusetts 02118
(617) 654-9800

MITT ROMNEY
GOVERNOR

KERRY HEALEY
LEUTENANT GOVERNOR

Enforcement Division Fax: (617) 451-9568
Legal Division Fax: (617) 357-8453
Licensing Division Fax: (617) 426-9358

MARTIN CRANE, MD
BOARD CHAIR

NANCY ACHIN AUDESSE
EXECUTIVE DIRECTOR

October 22, 2004

Rajendra D. Badgaiyan, M.D.
122-A Sycamore Street
Somerville, MA 02145

Re: Full License Application

Dear Dr. Badgaiyan:

As you may recall, at its June 16, 2004 meeting, the Licensing Committee, a subcommittee of the Board of Registration in Medicine, met with you to discuss the information contained in your full license application. The Licensing Committee deferred further consideration of this application until you had undergone a Board approved psychiatric evaluation and met with Dr. Luis Sanchez, Director of Physician Health Services, to determine your suitability for a Behavioral Health Monitoring Contract.

On August 4, 2004, you emailed me and indicated that you had begun meeting with Board approved psychiatrist, Dr. Donald Meyer. You stated that Dr. Meyer would not be able to complete his evaluation until he had met with two psychiatrists involved with your residency training at the Boston VA Hospital. You added that the VA Hospital attorney had informed Dr. Meyer that he could not speak to these physicians because of a possible conflict of interest and that you were attempting to contact attorney Paul Merry to resolve this issue. However, Attorney Merry was on vacation and Dr. Meyer was scheduled to begin a three week vacation within the next few days.

You indicated that further delay in the processing of your application could result in the loss of your fellowship and asked if the Committee would accept an interim report from Dr. Meyer consider a limited license application so that you could begin your training as soon as possible. You were advised to submit a change of program application as well as the previously requested information so



Page Two
October 22, 2004

04/23/05 S1
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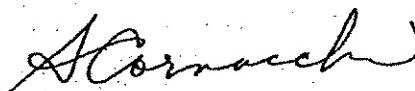
that this matter could be presented to the Licensing Committee in a timely manner.

In a September 7, 2004 email, you informed me that your former Program Director had not signed the change of program application and asked if the Committee would instead consider your full license application. In my email response, I advised you that you had filled out a change of program application to expedite the application process during the summer months when your attorney and Dr. Meyer were on vacation. Since you had not been able to complete your change of program application, I informed you that you needed to go forward with your full license application and complete the evaluations by Dr. Meyer and Dr. Sanchez. You replied that you had completed both of these evaluations and were still interested in applying for the change of program license and asked whether the Committee would consider accepting this application without the Program Director's signature.

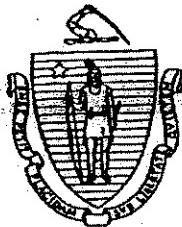
On September 21, 2004, the Board received your completed change of program application. The Board has not received Dr. Meyer's finalized evaluation and has not received a recommendation from Dr. Sanchez regarding your suitability for a monitoring contract.

Please be advised that the materials in your March 2004 full license application may be outdated. Please contact me and let me know whether you choose to proceed with the application process.

Sincerely,



Susan Cornacchio, RN, JD
Board Counsel
Physician Health & Compliance Unit



Commonwealth of Massachusetts Board of Registration in Medicine

560 Harrison Avenue, G-4
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04/22/05
91

MITT ROMNEY
GOVERNOR

KERRY HEALEY
LIEUTENANT GOVERNOR

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Licensing Division Fax: (617) 426-9358

MARTIN CRANE, MD
BOARD CHAIR

NANCY ACHIN AUDESSE
EXECUTIVE DIRECTOR

174
January 20, 2005

VIA FAX AND REGULAR MAIL

Paul Cirel, Esquire
Dwyer and Collora, LLP
600 Atlantic Avenue
Boston, Massachusetts 02210

Re: Rajendra D. Badgaiyan, M.D.

Dear Attorney Cirel:

On January 19, 2005, the Licensing Committee, a subcommittee of the Board of Registration in Medicine, reviewed Dr. Badgaiyan's Change of Program Application for a limited license. The Committee recommended that Dr. Badgaiyan's application be approved contingent on his entering into a Letter of Agreement (LOA) with the Board's Complaint Committee.

As you know, a LOA is a private agreement between Dr. Badgaiyan and the Committee. It is not considered a disciplinary agreement and is not reported to the national data reporting systems. However, a LOA does provide for disclosure of the Agreement to the physician's employer and to any in- or out-of-state health maintenance organization with which he has privileges or any other kind of association.

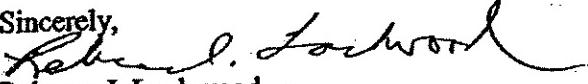
Enclosed is a draft of a LOA for Dr. Badgaiyan. Please provide a list of the facilities where he will be working as well as letter from Dr. Treves indicating that he has read the draft Agreement and is willing to assume the associated monitoring and reporting responsibilities. When I have received this information, Dr. Badgaiyan's matter will be scheduled for an upcoming Complaint Committee meeting.



Paul Cirel, Esquire
January 20, 2005
Page Two

Please call me at (617) 654-9861 if I can be of any assistance.

Sincerely,


Rebecca L Lockwood
Physician Health and Compliance Counsel

0422005 ST

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JOINT PROGRAM IN NUCLEAR MEDICINE
HARVARD MEDICAL SCHOOL DEPARTMENT OF RADIOLoGY
BETH ISRAEL DEACONESS MEDICAL CENTER • BRIGHAM & WOMEN'S HOSPITAL
CHILDREN'S HOSPITAL BOSTON • DANA-FARBER CANCER INSTITUTE
MASSACHUSETTS GENERAL HOSPITAL • VA BOSTON HEALTHCARE SYSTEM

04/22/05 ST 132

January 25, 2005

RECEIVED
2005 JAN 31 PM 2:26
JOINT PROGRAM
IN MEDICINE

Rebecca I. Lockwood, Esq.
Board of Registration in Medicine
560 Harrison Avenue, Suite G-4
Boston, MA 02118

Dear Attorney Lockwood,

This letter is to indicate that I have read the Letter of Agreement between the Massachusetts Board of Registration in Medicine and Dr. Rajendra Badgaiyan, a current trainee in the Joint Program in Nuclear Medicine at Harvard Medical School. I understand that, in accordance with Sections Q and R of the Letter of Agreement, I shall be the person responsible for monitoring Dr. Badgaiyan's performance in the workplace and will submit quarterly reports on his performance to the Board of Registration in Medicine.

As the Director of the Joint Program in Nuclear Medicine, I agree to submit the required reports to the Board. Because our Program is comprised of six different institutions, I shall rely on the report of the Chief of Nuclear Medicine at the institutions where Dr. Badgaiyan may be assigned, to complete the monitoring form. The institutions to which he may be assigned are: Brigham and Women's Hospital, Beth Israel Deaconess Medical Center, Children's Hospital Boston, Dana-Farber Cancer Institute, Massachusetts General Hospital, and VA Boston Healthcare System – West Roxbury Campus.

If I can be of any further assistance, please contact me at 617-355-7935.

Sincerely,

S. Ted Treves, M.D.
Executive Director
Joint Program in Nuclear Medicine
Harvard Medical School

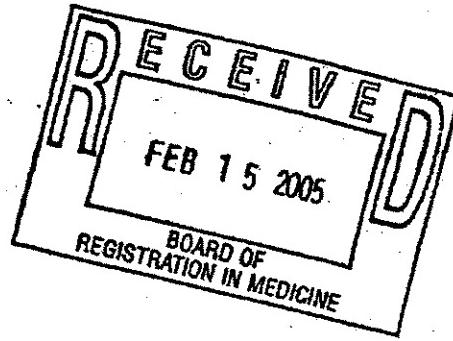
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Dwyer & Collora, LLP

600 Atlantic Avenue
Boston, Massachusetts 02210-2211
Telephone (617) 371-1000
Fax (617) 371-1037
www.dwyercollora.com

February 15, 2005

Paul R. Cirel
(617) 371-1025
pcirel@dwyercollora.com



By Hand Delivery

Attorney Rebecca Lockwood
Commonwealth of Massachusetts
Board of Registration in Medicine
560 Harrison Avenue, G-4
Boston, MA 02118

Dear Attorney Lockwood:

In anticipation of his appearance on March 2, 2005, Dr. Badgaiyan has asked that I forward the enclosed petition for distribution to the licensing committee members. Thank you for your attention and assistance.

Very truly yours,

Paul Cirel

PC/mjc
Enclosure

BRM0108

Rajendra D. Badgalyaa, M.D.
Assistant Professor of Radiology
Harvard Medical School
Massachusetts General Hospital

Phone: (617) 724-1793
Fax: (617) 726-6165
E-mail: rajendra@wjh.harvard.edu

February 11, 2005

The Members of the Board,
Massachusetts Board of Registration in Medicine
Boston.

RE: Full and Limited License applications.

Dear Members of the Board,

My limited license application for a change of program is under consideration of the board for the past several months. I am told that the application will not be approved unless I agree to sign a five-year monitoring contract. I request you to waive this requirement for the following reasons:

1. I am in a residency training program in Nuclear Medicine where I am being closely monitored by the program director and the faculty.
2. My competency to practice medicine has not been questioned by anybody. All of my supervisors, previous program director, and Dr Donald Meyer, MD (who has evaluated me) have expressed their confidence in my competency to practice medicine.
3. I do not have any physical or mental condition that requires intensive monitoring or therapeutic intervention. During residency training I was evaluated by more than 30 psychiatrists who have observed me closely for extended period of time (some of them for more than a year). Nobody has suggested that I have a physical or mental condition that will make me impaired and will require monitoring.
4. In all possibility, my application for full license would have been approved several months ago, if my previous program director had not given misleading statement to the board regarding my 'probationary' status.
5. The problem that I had during previous residency training was a result of a discriminatory work environment, and is not likely to happen again. Dr Meyer has elaborated some of the issues that lead to my problems and is obvious from the claims concerning my 'probation' at the Harvard South Shore Residency Training Program (please see my letter of 4/26/04). I have been working in Massachusetts General Hospital for the past six years and never had any problem. My supervisors in the MGH have not only promoted me to the position of an Assistant Professor but went out of the way to help me when they came to know about my difficulty in getting the license. I was offered a residency position and I have been allowed to stay in the

MONITORING/EVALUATION FORM

Commonwealth of Massachusetts
Board of Registration in Medicine

RECEIVED
2005 JAN 31 PM 26
BUADU INSTITUTE OF TECHNOLOGY
ON REQUEST

This form should be completed each month by Dr. S. Ted Treves, monitor for Dr. Rajendra D. Badgaiyan. (Reports will be due on the first days of January, April, July and October). All reporting shall be based on regular communications with department staff, including medical, nursing and support staff at Harvard Medical School's Joint Program in Nuclear Medicine. Please comment on the following categories and indicate "N/A" where category is not appropriate. In addition, the Board encourages additional comments on the last page of this form or by attachment of a letter.

1. History taking, interviewing skills _____
2. Skills in physical diagnosis _____
3. Clinical judgment/decision making _____
4. Basic medical knowledge _____
5. Skills and procedures related to specialty _____
6. Documentation _____
7. Pharmacological knowledge / prescribing practice Not applicable
8. Organizational skills and ability to prioritize _____
9. Interactions with peers _____
10. Interactions with nursing staff technologists and administrative staff
11. Communication with patients _____
12. Acceptance of criticism _____
13. Motivation to correct areas of weaknesses _____

Additional Comments

Signed:

*S.T. Treves*Date: 1-25-05

S. Ted Treves, M.D.

Please return the completed form to Rebecca I. Lockwood, Esq., Board of Registration in Medicine, 560 Harrison Avenue, Suite G-4, Boston, Massachusetts 02118.

program for more than seven months even though it has caused considerable disruption in clinical activities of the program because of my inability to carry out clinical work.

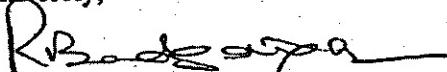
6. In my opinion, the monitoring contract stipulated by the board will be counter productive because it requires me to attend therapy, monitoring and group sessions at least six times a month. Since these sessions will involve traveling to different locations in and around Boston during normal duty hours of the residency program, it will significantly affect my clinical and academic responsibilities besides causing disruption in the training.
7. Because in addition to clinical duties I will have to spend considerable amount of time on research (as an NIH Principal Investigator), the time spent in monitoring (about 20 hours a month) will adversely affect my research activities. Since I am primarily interested in developing a research career, it will severely damage my future academic career besides causing significant physical and mental stress.
8. There has not been any complaint or claims against me even though I have been licensed to practice medicine in India (full license) for over 25 years and in Massachusetts (limited license) for over 5 years.

If the board has any doubt about my competency to practice medicine, I can request Dr Kirshner (as recommended by Dr Meyer on page 4 of his evaluation), the chief of service, or the program director, to monitor my performance and report to the board.

I also request you to consider my full license application which is on hold for a year. Full license will allow me to work on psychiatric patients for my research. Because I do not have a full license I have not been able to start many of my research projects on psychiatric population.

I therefore request the members of the board to waive the monitoring requirements and help me advance my academic career. I will be very much obliged for this favor.

Sincerely,



Rajendra D Badgaiyan
122A, Sycamore Street
Somerville, MA 02145



Commonwealth of Massachusetts Board of Registration in Medicine

560 Harrison Avenue, G-4
Boston, Massachusetts 02118
(617) 654-9800

MITT ROMNEY
GOVERNOR

KERRY HEALEY
LIEUTENANT GOVERNOR

Enforcement Division Fax: (617) 451-9568
Legal Division Fax: (617) 357-8453
Licensing Division Fax: (617) 426-9358

MARTIN CRANE, MD
BOARD CHAIR

NANCY ACHIN AUDESSE
EXECUTIVE DIRECTOR

MEMORANDUM

TO: Rajendra Badgaiyan
FROM: The Licensing Division
DATE: February 9, 2006
RE: 6 MONTH UPDATE – FULL LICENSE APPLICATION

Your full license application has been in process for over 6 months and must be updated. If you do not wish to continue to pursue your application, please notify the Board, in writing, within 30 days of receipt of this letter. There are no additional fees required.

If you wish to continue to pursue your application for a full license, you may go to the Board's website at www.massmedboard.org, select "Services for Physicians", then "Full License Application" and "Downloadable application kits for full license" and print the following forms:

- Initial Application
- Authorization Release Form
- Supplement Form
- Medicare Tax Form
- License Verifications from each state for current or past Full Licenses:
- Evaluation Form
- AMA Physician Profile
- National Practitioner Data Bank Report
- Malpractice History Form

- Reports from following carriers: _____

- Other documents: Need to document your activities, clinical and or other since you completed your post graduate training.

NOTES: _____

E/share/Smooths